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May 4, 2023

VIA ECF

The Honorable Diane Gujarati
United States District Court
Eastern District of New York
225 Cadman Plaza East, Courtroom 4B
Brooklyn, NY 11201

Re: Janet Hoskins, et al. v. Contour Mortgage Corp.
Civil Action No.: 23-02289

Dear Judge Gujarati:

This office represents Plaintiffs in the above-referenced case. Plaintiffs have received Defendant's letter, dated April 24, 2023, filed at ECF Doc. 12. Pursuant to Your Honor's Individual Practice Rules, Plaintiffs hereby respond.

Initially, the Court should not stay the pleading stage of this action while Defendant contemplates whether it will file a (fully meritless) motion to transfer this action. First, Defendant maintains its headquarters, and is therefore domiciled, in this District (in Nassau County, New York), making it subject to this Court's jurisdiction. Second, Defendant's employment agreements with its loan officers—agreements it drafted—explicitly require that Plaintiff and other loan officers file their claims in this Court—and not in Maryland. See Loan Originator Agreement ¶ 16 ("This Agreement shall be construed in accordance with the laws of the State of New York for agreements entered into therein. In the event a party brings an action or proceeding relating to this Agreement ... then such action or proceeding shall be brought in the Courts located in the County of Nassau, State of New York."). Moreover, Defendant's argument that Maryland is an appropriate Court is rendered moot in light of the individuals who filed consent forms earlier today, some of whom worked in Florida, and whose claims the Maryland court (but not this Court) would lack jurisdiction over.

With respect to Defendant's contentions raised in their letter relating to their intention to file a 12(b)(6) motion, Plaintiffs plan to amend their Complaint to moot some or all of Defendant's arguments raised in its letter. To this end, Plaintiffs request that the Court grant them 14 days to file their amended pleading.

Plaintiffs thank the Court for its attention to this matter.

Respectfully submitted,

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By *Carly Meredith*
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